

Message Text

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64

ACTION L-03

INFO OCT-01 EUR-25 NEA-10 ISO-00 IO-13 OIC-04 AF-10 ARA-16

EA-11 RSC-01 CAB-09 CIAE-00 COME-00 DODE-00 EB-11

INR-10 NSAE-00 FAA-00 DOTE-00 SS-15 SPC-03 NSC-10

PA-03 PRS-01 USIA-15 OMB-01 SY-10 USSS-00 PM-07 DRC-01

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R 121900Z SEP 73

FM AMEMBASSY ROME

TO SECSTATE WASHDC 0729

INFO AMEMBASSY BEIRUT

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY TEL AVIV

AMCONSUL MONTREAL

USUN NEW YORK 1697

UNCLAS ROME 9546

E.O. 11652 N/A

TAGS: ICAO, ETRN

SUBJ: ICAO AIR SECURITY CONFERENCE: TWELFTH REPORT OF USDEL

ASSEMBLY/DIPLOMATIC CONFERENCE - SEPT. 11

MONTREAL FOR US REP ICAO

PLS PASS: LITTELL/CAB; DRISCOLL/DOT; STEWART/FAA

1. EXECUTIVE COMMITTEE OF ASSEMBLY CONSIDERED SEVERAL REMAINING POINTS IN A20-WP/3 AND WP/4 REGARDING FRENCH/ UK/SWISS PROPOSALS FOR AMENDMENT OF CHICAGO CONVENTION. CONSIDERATION OF NEW ART. 80 PROPOSED IN WP/4 POSTPONED WHEN BELGIUM ANNOUNCED IT WAS CIRCULATING WORKING PAPER SUGGESTING INTRODUCTORY SENTENCE FOR THIS ARTICLE.

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2. REGARDING PROPOSED NEW ARTICLE 81 IN WP/4, SINGAPORE SUG-

GESTED INSTEAD OF REFERRING TO ACTS OF UNLAWFUL SEIZURE ETC., IT READ "IN CONTRAVENTION OF THE CONVENTIONS REFERRED TO IN ARTS. 82 AND 83 OF THIS PROTOCOL". SWITZERLAND EXPLAINED THAT IT WOULD BE BETTER TO KEEP ART. 81 INDEPENDENT OF THESE OTHER ARTICLES SINCE IT MIGHT ENTER INTO FORCE FIRST. KUWAIT PROPOSED INSERTION OF WORD "ALL" BEFORE "THE PASSENGERS AND CREW" IN PARAPHRASE OF TOKYO CONVENTION ART. 11,2. JAPAN SUGGESTED THREE-STAGE FORMULA WHEREBY ARTICLE 81 WOULD COME INTO FORCE FIRST AND LATER ARTS. 82 AND 83 AND POINTED OUT ARTS. 9,2 OF HAGUE CONVENTION AND 10,2 OF MONTREAL CONVENTION WOULD HAVE TO BE REMOVED WHEN HAGUE AND MONTREAL INSERTED IN CHICAGO. FRANCE SAID NO QUESTION OF MODIFYING HAGUE OR MONTREAL INVOLVED. WHEN ART. 81 COMES INTO FORCE, ICAO COUNCIL WILL BE ABLE TO DEAL WITH DISPUTES CONCERNING UNLAWFUL INTERFERENCE AND THAT IT IS PREPARED TO CONSIDER AMENDMENTS OF SINGAPORE AND KUWAIT.

3. REGARDING PROPOSED NEW ARTS. 82 AND 83, US SAID IT COULD NOT SEE ADVISABILITY OF HAVING TWO-THIRDS OF ICAO STATES RATIFY HAGUE AND MONTREAL CONVENTIONS RESPECTIVELY BEFORE THEY COULD BE INCORPORATED IN CHICAGO CONVENTION. US SAW NO REASON FOR THIS EXTRA REQUIREMENT AND REQUESTED COMMITTEE BE ASKED WHETHER IT WANTED INCORPORATION TO TAKE PLACE AT SAME TIME AS AMENDMENT TO ART.81. CANADA SPOKE AGAINST DOUBLE RATIFICATION REQUIREMENT WHILE FRANCE JUSTIFIED IT ON GROUNDS IT IS VERY IMPORTANT AMENDMENT, INTENDED TO SPEED UP RATIFICATIONS AND KEEP HAGUE AND MONTREAL ALIVE. BARBADOS AND TRINIDAD AND TOBAGO THOUGHT A BREACH OF AT. 94(A) WAS INVOLVED. DEBATE CLOSED AT REQUEST OF TUNISIA BY VOTE OF 59(US)-3.

4. COMMITTEE THEN VOTED 25(US)-30-31 ON FOLLOWING QUESTION DRAFTED BY CHAIRMAN DIALLO AND REPHRASED BY BARBADOS: QTE DOES THE EXECUTIVE COMMITTEE WISH THE INCORPORATION OF ARTICLES 1-11 OF THE HAGUE CONVENTION AND ARTICLES 1-13 OF THE MONTREAL CONVENTION INTO THE CHICAGO CONVENTION TO DEPEND SOLELY ON THE AMENDMENT TO THE CHICAGO CONVENTION BEING RATIFIED BY THE SPECIFIED NUMBER OF CONTRACTING STATES WITHOUT IT BEING NECESSARY FOR A SPECIFIED NUMBER OF RATIFICATIONS TO BE REQUIRED IN THE CASE OF THE HAGUE
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AND MONTREAL CONVENTIONS? UNQTE.

5. BREAKDOWN OF ROLL-CALL VOTE REQUESTED BY FRANCE AND US WAS AS FOLLOWS: FOR: ARGENTINA, AUSTRALIA, BAHRAIN, BELGIUM, BRAZIL, CANADA, COLOMBIA, ETHIOPIA, IRELAND, ISRAEL, ITALY, JAMAICA, NETHERLANDS, NEW ZEALAND, NIGERIA, QATAR, RWANDA, SPAIN, SUDAN, TURKEY, UNITED ARAB EMIRATES, US, URUGUAY, VENEZUELA AND YEMEN. AGAINST: ALGERIA, AUSTRIA, BURUNDI, CAMEROON, CHILE, CONGO, DENMARK, EGYPT, FINLAND, FRANCE, FRG, GREECE, GUATEMALA, HONDURAS, JAPAN,

KENYA, LEBANON, LIBYA, MADAGASCAR, MALI, NORWAY, PORTUGAL, SIERRA LEONE, SRI LANKA, SWITZERLAND, SYRIA, TANZANIA, UGANDA, UK AND PDR OF YEMEN. ABSTAINING: BARBADOS, BULGARIA, CENTRAL AFRICAN REPUBLIC, CUBA, CZECHSLOVAKIA, ECUADOR, HUNGARY, INDIA, INDONESIA, IRAN, IRAQ, JORDAN, MALTA, MOROCCO, MAURITIUS, MEXICO, NICARAGUA, PAKISTAN, PANAMA, POLAND, SAUDI ARABIA, SENEGAL, SINGAPORE, SWEDEN, THAILAND, TRINIDAD & TOBAGO, TUNISIA, USSR, UPPER VOLTA, YUGOSLAVIA, AND ZAIRE.

6. AFTER SOME DISCUSSION ON AMENDMENT OF ARTICLE 86 IN WP/3 DIALLO PROPOSED SETTING UP DRAFTING GROUP TO CONSIDER ARTICLES ON WHICH PRINCIPLES HAD BEEN DECIDED, BUT NOT TO INCLUDE ART. 87 AT THIS TIME. (USSR VIGOROUSLY OPPOSED SUCH INCLUSION.) SWITZERLAND'S MOTION, SECONDED BY COLOMBIA AND CANADA, TO SET UP GROUP CARRIED 52(US)-8-22. DISCUSSION OF ART. 86 WAS DIRECTED TOWARD QUESTION TO EFFECT "DOES THE COMMITTEE DESIRE TO AMEND ART. 86?" AT ABOUT 6:15PM MEETING WAS ADJOURNED WITHOUT CONCLUDING DEBATE ON PRIORITY PROCEDURAL MOTION OF TANZANIA, SUPPORTED BY AFRICANS, SOVIET BLOC, LATIN AMERICANS, BELGIUM AND OTHERS. VOLPE

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